

FEDERAL FUNDING FOR SAFE ROUTES TO SCHOOL

By Michael D. Eberlein, Safe Routes to School Coordinator, Michigan Department of Transportation

Section 1404 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act—A Legacy for Users (SAFETEA-LU)

On August 10, 2005, President Bush signed into law legislation authorizing federal transportation programs and funding levels for fiscal years 2005 through 2009. Section 1404 of SAFETEA-LU established and authorized federal transportation funding for a new program called Safe Routes to School (SR2S). The program is focused on children in primary and middle schools (defined as kindergarten through 8th grade). The analysis which follows provides a complete summary of the section provisions, compiled by broad topic, paraphrasing or quoting (quotations are in *italics*) section provisions, and commenting for background where appropriate. Section 1404 as enacted may be found online at <http://safety.fhwa.dot.gov/saferoutes/>.

Purposes of the program: The statutory purposes for the program are:

- “1. to enable and encourage children, including those with disabilities, to walk and bicycle to school;
2. to make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and
3. to facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.”

Funding Level: Levels of funding authorized for each fiscal year (in millions), nationally, and for Michigan, are shown in Table 1.

About the Author

Michael Eberlein was appointed as the Michigan Department of Transportation Safe Routes to School Coordinator in 2005 and oversees all aspects of the program. Eberlein served as the manager of the Transportation Enhancement Program from 2000 – 2005 and as the Nonmotorized Transportation Coordinator from 1994 – 2000. He is a career MDOT employee in his 40th year of service with the agency. □

Funding parameters: Statutory provisions set parameters for use of the funds, as follows:

- **Federal administrative set aside:** USDOT/FHWA is empowered to set aside up to \$3 million per fiscal year for administration prior to apportioning funds to the states. In addition to general administrative costs, the statute requires two specific activities be funded from this set aside:

- “...make grants to a national non-profit organization engaged in promoting safe routes to school to...
 - operate a national SR2S clearinghouse
 - develop SR2S information/education programs
 - provide technical assistance and disseminate successful SR2S techniques/strategies.”

- “...establish a national safe routes to school task force composed of leaders in health, transportation, and education, including representatives of appropriate Federal agencies...”,

- “...to study and develop a strategy for advancing safe routes to school programs nationwide...”, and
- to report to Congress by March 31, 2006, the study results, the strategy, “...and information regarding the use of funds for infrastructure-related and non-infrastructure-related activities...”

- **Apportionment:** Funds are apportioned to each state based on the share of national K through 8 enrollment represented by each state’s enrollment. Enrollment is determined by USDOT. The minimum annual apportionment each state will receive is \$1 million.

Note: Because of the \$1 million annual minimum apportionment, 14 states receive a higher percentage of the funding than their formula share would provide. This in turn reduces the funding remaining for distribution to states for which the formula provides more than the minimum. Michigan’s projected share ranks eighth nationally, behind only the seven more populated states (CA, FL, NY, IL, TX, OH, PA).

Use of apportionment:

- States must use “...a sufficient amount of the apportionment to fund a full-time position of coordinator of the State’s safe routes to school program.”
- States shall allocate between a minimum of 10% and a maximum of 30% of their annual apportionment to non-infrastructure activities.

- **Match:** The Federal share of projects funded under this program is 100%.

Administration: Funds are administered as if they were apportioned under chapter 1 of Title 23. Funds apportioned to the states will be administered by the State DOT.

Eligible recipients: “...State, local, and regional agencies, including private nonprofit organizations, that demonstrate an ability to meet the requirements of this (1404) section.”

Eligible projects and activities:

- “...Planning, design, and construction of infrastructure-related projects that will substantially improve the ability of students to walk and bicycle to school...”, “...in the vicinity of schools.” [vicinity means “the area within biking or walking distance to the school (approximately two miles)”], ...carried out on any public

Table 1

Year	2005	2006	2007	2008	2009	Total
Authorization	\$54.00	\$100.00	\$125.00	\$150.00	\$183.00	\$612.00
MI/year*	\$1.00	\$3.04	\$4.04	\$5.01	\$6.25	\$19.34
MI/Cum.	\$1.00	\$4.04	\$8.08	\$13.09	\$19.34	\$19.34

*Amounts shown for fiscal years 2005 and 2006 are actual apportionments; amounts shown for fiscal years 2007 through 2009 are federal estimates based upon values in the statutory apportionment formula for fiscal year 2006. The calculations for all years account for the constraints imposed in the statute—the federal administration set aside, the statutory apportionment formula, and the statutory minimum apportionment to states.

The figures do not account for the annual obligation limitation imposed at the federal level each fiscal year. For illustrative purposes, for fiscal year 2006, the obligation limitation is 15.5 percent, meaning that of the \$3.04 million authorized for Michigan only 84.5 percent, or \$2.57 million are available for expenditure. At the time of this writing, both fiscal years’ 2005 and 2006 apportionments, net of obligation authority reductions, are available for expenditure.

road or any bicycle or pedestrian pathway or trail...”, including:

- sidewalk improvements
- traffic calming and speed reduction improvements
- pedestrian and bicycle crossing improvements
- on-street bicycle facilities
- off-street bicycle and pedestrian facilities
- secure bicycle parking facilities
- traffic diversion improvements.”
- “...noninfrastructure-related activities to encourage walking and bicycling to school, including:
 - public awareness campaigns and outreach to press and community leaders
 - traffic education and enforcement in the vicinity of schools
 - student sessions on bicycle and pedestrian safety, health, and environment
 - funding for training, volunteers, and managers of safe routes to school programs.”

Federal Program Development Actions

As new federal transportation programs go, SR2S is on a fast track for development and implementation both at USDOT and in State DOTs. FHWA acted quickly to locate program administration in the agency’s Office of Safety, and to name a program contact—Tim Arnade. On September 26, 2005, FHWA headquarters issued a letter to FHWA Division offices in the states instructing them to request the state DOTs to name the required SR2S coordinator by the end of 2005.

FHWA also set up a website at <http://fhwa.dot.gov/saferoutes>. FHWA intends to use the web site as the primary medium for announcing developments and providing information as federal program development continues. The website provides access to Section 1404 language, program guidance, frequently asked questions, and contact information for the State DOT Safe Routes Coordinators.

FHWA is presently soliciting proposals from national private nonprofit organizations to house and operate the legislated Safe Routes to School Clearinghouse. Once its host organization is selected sometime this spring, the Clearinghouse will assume the information development and exchange function for the program.

Federal Highway Administration Program Guidance

On January 3, 2006, FHWA issued Safe Routes to School program guidance (see the web site to review the entire document). The guidance clarifies, reinforces and elaborates upon the provisions of Section 1404.

The general theme of the guidance is flexibility in implementing the program, within the boundaries of the desired outcomes and administrative constraints set forth in the Section 1404, and in Title 23 of the United States Code of Federal Regulations—the regulations governing all federal road programs.

Key messages emphasized in the guidance are:

1. Desired outcomes. Elaborating upon the legislated purposes for the program, the guidance identifies the following desired outcomes:

- Increased bicycle, pedestrian, and traffic safety
- More children walking and bicycling to and from schools
- Decreased traffic congestion
- Improved childhood health
- Reduced childhood obesity
- Encouragement of healthy and active lifestyles
- Improved air quality
- Improved community safety
- Reduced fuel consumption



- Increased community security
- Enhanced community accessibility
- Increased community involvement
- Improvements to the physical environment that increase the ability to walk and bicycle to and from schools
- Improved partnerships among schools, local municipalities, parents, and other community groups, including non-profit organizations
- Increased interest in bicycle and pedestrian accommodations throughout a community.

2. Multidimensionality and balance. The desired outcomes above include transportation, health and fitness, community cohesion and livability, and attitude and behavior changes—a tall and unusual order for a transportation program. The guidance encourages recognition and response to the fact that the program has many dimensions, some of which are not within the traditional realm of transportation expertise.

The guidance emphasizes repeatedly the need for state DOTs to partner with agencies which possess the expertise necessary to address the broad impacts sought from program investment.

In the program development objectives listed below, FHWA guidance stresses achieving balance on a variety of program dimensions:

- *Enable participation on a variety of levels*—types of sponsor/recipient organizations including non-profits, and level of initiative, from individual school to school district to local government or region to statewide.
- *Make the program accessible to diverse participants*—particularly to schools or other sponsors representing low income areas for whom resources or capacity may be lacking even to prepare an application for funding, and among development types (urban, suburban, rural) for whom safe routes issues may be substantially different from one another.
- *Promote comprehensive SRTS programs and activities*—recognizing the 5 Es (engineering, enforcement, encouragement, education, and evaluation) as the range of interventions that may be needed in various combinations to bring about the desired broad outcomes; for example, an infrastructure improvement alone, may not change attitudes/behavior resulting in more children walking or bicycling to school
- *Maximize impact of the funds*—select infrastructure treatments and noninfrastructure approaches representing the most efficient and effective solutions; seek to leverage investment from other sources, but not as match, which is prohibited.

Reinforcing the emphases on balance and multidimensionality in the program, the guidance provides the following list of noninfrastructure (the 4 Es other than engineering) investments made in Safe Routes programs that already exist in some states.

- Creation and reproduction of promotional and educational materials.
- Bicycle and pedestrian safety curricula, materials and trainers
- Training, including SRTS training workshops that target school- and community-level audiences.
- Modest incentives for SRTS contests, and incentives that encourage more walking and bicycling over time.
- Safety and educational tokens that also advertise the program
- Photocopying, duplication, and printing costs, including CDs, DVDs, etc.

- Mailing costs.
- Costs for data gathering, analysis, and evaluation reporting at the local project level.
- Pay for substitute teacher if needed to cover for faculty attending SRTS function during school hours
- Costs for additional law enforcement or equipment needed for enforcement activities.
- Equipment and training needed for establishing crossing guard programs.
- Stipends for parent or staff coordinators.
- Costs to employ a SRTS Program Manager, which is a person that runs a SRTS program for an entire city, county, or some other area-wide division that includes numerous schools.
- Costs to engage the services of a consultant (either for-profit or non-profit) to manage a SRTS program described in the prior bullet.

This attention to the noninfrastructure, nontransportation elements of the program in the federal guidance is recognition of the area of program development and implementation requiring the most creativity on the part of responsible state DOTs. The capacity to successfully implement the non engineering Es does not reside in the responsible transportation agency, but the program must include these elements, and state DOTs must acquire and apply that capacity through relationships with agencies which possess that knowledge and expertise.

3. Evaluation. The guidance requests states to develop and implement program/performance evaluation methods to assess the impact of program investments. The evaluation system is to measure safety benefits as well as behavioral changes, in keeping with the purposes of the program and the desired outcomes. For such systems to be effective, states are encouraged to ensure that baseline (pre-investment) measurement is undertaken as the benchmark against which change can be measured.

Michigan's Approach to Safe Routes to School Program Development

MDOT is responsible for organizing and implementing the federal Safe Routes to School program in Michigan. Its first official action in that regard was to name its Safe Routes to School Coordinator, Michael D. Eberlein, and locate program administration responsibility in the Office of Transportation Economic Development and Enhancement. Mr. Eberlein assumed his duties effective December 12, 2005.

Because of the two year pilot project completed as of December 31, 2005, the organizational structure and interagency relationships contemplated in Section 1404 and the federal guidance are already well established in Michigan. In addition, Michigan's How-to Handbook, developed and tested in 11 elementary schools provides a proven method for schools to create an action plan for infrastructure and noninfrastructure projects most needed to accomplish safe routes objectives. It is MDOT's intention to take advantage of this advance work to provide the foundation for program development and administration in Michigan.

1. Organizational Structure: MDOT holds final authority and responsibility for program structure and funding decisions as the agency accountable to the Federal Highway Administration, and through which the federal funding is expended. In developing and implementing the program, MDOT will rely on an internal team composed of representatives of safety, design, contracting, finance, and planning units of the department. This team is working out answers to the many questions related to implementation of infrastructure projects under Title 23 regulations originally written to govern much larger road related projects, and assess methods to best accomplish noninfrastructure projects with partner agencies.

While application instructions are months away from being issued, organizations interested in preparing for funding are well advised to visit Michigan's Safe Routes web site www.saferoutesmichigan.org, or call the Council at 1-800-434-8642, to register to receive the Handbook and accompanying training and technical assistance to get their initiative moving in anticipation of application instructions becoming available.

In addition to the internal team, an external interagency team originally created to steer Michigan's Safe Routes pilot project, will continue to serve that purpose for the new federal program. This team includes representatives from various related state programs in the State Departments of Community Health, Education, Transportation, and State Police, as well as representatives of related private non-profit groups including Michigan Association of Planning,

Michigan Environmental Council, Michigan Trails and Greenways Alliance, American Heart Association, Safe Kids Coalition, and the League of Michigan Bicyclists. The group also includes representatives of Michigan State University's CARRS department who developed the survey, analysis and evaluation tools for Michigan's Handbook, and its Extension Office—Michigan Nutrition Network, the source of the social marketing strategy represented by and in the handbook.

This Steering Committee will assist MDOT in developing application instructions and process, and evaluating eventual applications for funding, especially related to the noninfrastructure elements. Currently, the committee is working on a program strategy, to guide application development and evaluation criteria, identifying potential state level initiatives in the noninfrastructure arena that could be considered for funding, and providing potential assistance via their existing networks of organizations to local schools and teams as they take on safe routes planning.

The key third element of the organization structure is the Governor's Council on Physical Fitness, Health and Sports/Michigan Fitness Foundation (GC/MFF). The Michigan Fitness Foundation is a private nonprofit corporation, and was MDOT's contractor for the Safe Routes pilot project. The GC/MFF is now the recognized state point of contact for the program. The Council will continue to serve as that point of contact, as the provider of outreach and technical assistance to new schools embarking on the Safe Routes adventure, as the likely manager of non-infrastructure projects or elements of projects selected for funding, and as developer of materials and techniques necessary to extend the established assistance to middle schools—also eligible for Safe Routes funding.

2. Program elements. MDOT intends for Michigan's program to manifest the principles of multidimensionality and balance embodied in the law and reinforced in the federal program guidance. Because of the success of the school based planning process laid out in Michigan's How-to Handbook in producing an action plan encompassing the 5 Es, the handbook process will form the cornerstone of eligibility for school sponsored applications for funding. While application instructions are months away from being issued, organizations interested in preparing for funding are well advised to visit Michigan's Safe Routes web site www.saferoutesmichigan.org, or call the Council at 1-800-434-8642, to register to receive the Handbook and accompanying training and technical assistance to get their initiative moving in anticipation of application instructions becoming available. □